

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

WAYNE RUDDER D/B/A LOW INCOME
IMMIGRATION ASSISTANCE, INC.,

Plaintiff,

vs.

YOLA, INC. *et al.*,

Defendant(s).

Case No.: 12-CV-02087 YGR


ORDER DISMISSING CASE FOR FAILURE TO
PROSECUTE

When a plaintiff is granted *in forma pauperis* status, the marshal will serve all documents upon the defendants, including a copy of the summons and complaint. Plaintiff has not provided an address for service on the Defendants. By Order issued September 27, 2012, Plaintiff was directed to file, no later than October 26, 2012: (1) an address for each Defendant; or (2) a one-page statement setting forth good cause why this action should not be dismissed for failure to serve. Plaintiff did not file either document.

Plaintiff was warned that if the marshal is unable to effectuate service and the plaintiff is so informed, the plaintiff must seek to remedy the situation or face dismissal of his claims for failure to serve under Federal Rule of Civil Procedure 4(m). *See* Fed. R. Civ. P. 4(m) (if service of the summons and complaint is not made within 120 days after the filing of the complaint, the action must be dismissed without prejudice as to that defendant absent a showing of "good cause").

Therefore, pursuant to Federal Rule of Civil Procedure 4(m), this action is **DISMISSED WITHOUT PREJUDICE**.

IT IS SO ORDERED.
Date: January 29, 2013


YVONNE GONZALEZ ROGERS
UNITED STATES DISTRICT COURT JUDGE